

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KURT ABRON,

No. C 08-2857 SI (pr)

Petitioner,

ORDER OF TRANSFER

v.


D. K. SISTO, warden,

Respondent.

Petitioner has filed a petition for writ of habeas corpus to challenge the denial of parole suitability. Petitioner is incarcerated, and had his parole suitability hearing, at the California State Prison in Vacaville. Vacaville is in Solano County, which is within the venue of the Eastern District of California. Venue is proper in a habeas action in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, the district of confinement is the preferable forum to review the execution of a sentence, such as a parole denial claim. See Habeas L.R. 2254-3(a); Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989). Because petitioner is confined in the Eastern District of California and challenging the execution of his sentence, pursuant to 28 U.S.C. § 1404(a) and Habeas L.R. 2254-3(b), and in the interests of justice, this action is TRANSFERRED to the United States District Court for the Eastern District of California. The clerk shall transfer this matter forthwith.

IT IS SO ORDERED.

DATED: June 23, 2008



SUSAN ILLSTON
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

KURT F ABRON,

Plaintiff,

v.

D K SISTO et al,

Defendant.

Case Number: CV08-02857 SI

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 24, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Kurt Abron K-82005
CSP - Solano
P.O. Box 400
Vacaville, CA 95696-4000

Dated: June 24, 2008

Richard W. Wieking, Clerk
By: Tracy Sutton, Deputy Clerk

